

REVISED NOTICE

SPECIAL OPEN MEETING OF THE ARIZONA CORPORATION COMMISSION

Commission Staff Meeting

DATE: Tuesday, February 10, 2009

TIME: 1:00 p.m.

**2nd Floor Conference Room
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007**

This shall serve as notice of a special open meeting of the Arizona Corporation Commission at the above location for consideration, discussion, and possible vote of the items on the following agenda and other matters related thereto. Please be advised that the Commissioners may use this open meeting to ask questions about the matters on the agenda; therefore, the parties to the matters to be discussed or their legal representatives are requested, though not required, to attend. The Commissioners may move to executive session, which will not be open to the public, for the purpose of legal advice pursuant to A.R.S. §§ 38-431.03.A.2, 3 and/or 4 on the matters noticed herein. The Commissioners may also move to executive session, which will not be open to the public, for other purposes specified in A.R.S. §§ 38-431.03, including discussions, consultations or considerations of Commission personnel and salary matters, on matters noticed herein.

The Arizona Corporation Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, as well as request this document in an alternative format, by contacting Shaylin A. Bernal, phone number (602) 542-3931, E-mail sabernal@azcc.gov. Requests should be made as early as possible to allow time to arrange the accommodations.

**MICHAEL P. KEARNS
Interim Executive Director**

Agenda

1. Division Updates
2. Legislative Update – Leah Chacon
 - Discussion of Legislation
 - Consideration of HB 2240 rule making; state agencies; moratorium
3. Summer Preparedness – Mike Kearns
4. Proposed letter from the Commissioners to Arizona's Congressional delegation requesting that the federal stimulus package include funding for utility relocations where stimulus funding-related projects have necessitated those utility relocations. - Chairman Mayes
5. AZ-American Water for discussion regarding Public Comment Sessions – Commissioner Stump

6. Commission discussion and consideration of ACC participation in *Core Communications, Inc. v. FCC*, D.C. Circuit Court of Appeals No. 08-1365 - Staff

Note: The Commission may vote to go into executive session regarding this matter pursuant to A.R.S. §§ 38-431.03.A.3 and/or -431.03.A.4.

7. Commission discussion and consideration of the status of pending litigation in *Arizona Superior Court* Case No. CV2007-014285 (*Southern California Edison v. Arizona Corporation Commission*)

Note: The Commission may vote to go into executive session regarding this matter pursuant to A.R.S. §§ 38-431.03.A.3 and/or -431.03.A.4.

8. Commission discussion and consideration of status of pending litigation in *The Wilderness Society, et al. v. United States Dept. of Energy*, Case No. 08-71074 (consolidated with Case Nos. 08-71823, 08-71829, 08-71831, 08-71845, 08-71870, 08-71872, 08-71884, 08-71908, 08-72423, 08-72644, 08-72717, and 08-72835) (9th Cir., petition for review filed March, 12, 2008).

Note: The Commission may vote to go into executive session regarding this matter pursuant to A.R.S. §§ 38-431.03.A.3 and/or -431.03.A.4.

9. Commission discussion and consideration of status of pending litigation in *Southern California Edison Company*, Docket No. PT08-1-000 (F.E.R.C., request to initiate prefilng process May 16, 2008).

Note: The Commission may vote to go into executive session regarding this matter pursuant to A.R.S. §§ 38-431.03.A.3 and/or -431.03.A.4.